

REMARKS:

Claims 1-28 were filed in the original application, and new claim 29 was added by the Preliminary Amendment filed on 10/12/05 and subsequently entered by the Examiner. Claims 1-13, 16-17, 19, 21-26, and 28-29 have been cancelled, while claims 14 and 27 have been amended. Hence, claims 14, 15, 18, 20, and 27 currently are pending.

Claims 14, 15, 18 and 20 were rejected under 35 U.S.C. 102(e) as unpatentable over Hichems et al. (U.S. Patent No. 6,468,953; hereinafter Hichems). In response, claim 14 has been amended to recite, in pertinent part:

- a. applying a chemical sterilizing agent to a clean item to achieve high-level disinfection; and
- b. providing a final rinse of the high-level disinfected item with ozonated, filtered water stored in a tank to degrade remaining biomatter resulting from contamination of said water, wherein ozone is continuously added to the water in the tank by re-circulation past the venturi.

Support for this amendment is found at pages 15 (lines 26-27) to 16 (lines 1-3), which disclose a "treatment with ozonated water is provided by ozonated, filtered water stored in [a] tank. The ozone is continuously added to the water in the tank by re-circulation past the venturi."

While Hichems discloses in column 14, lines 37-52, directing an ozone-enriched gas to a separate "contactor chamber," there is no disclosure or suggestion of continuously adding

ozone to water stored in a tank by recirculation past a venturi. Thus, claim 14 and those depending therefrom are distinct from the invention of Hitchems. Given the very short duration of ozone, and the propensity for contamination to lodge in various components of a cleaner/sterilizer that is used for items harboring bio-contaminants, the method of the invention both ensures a supply of freshly sterilized water is ready for immediate use from the tank and minimizes the possibility of contaminants infecting various components by continuously supplying a "barrier" of freshly ozonated water to the tank.

Claims 14, 15, 18 and 20 were rejected under 35 U.S.C. 103(a) as unpatentable over Langford (U.S. Patent No. 5,443,801; hereinafter the '801 patent) in view of Hichems et al. (U.S. Patent No. 6,468,953).

Citing Fig. 17A from the '801 patent, the Examiner states in the first paragraph on page 6 of the Office Action that the '801 patent suggests "ozonated, filtered water which has been stored in a receptacle such as a tank." However, the applicant respectfully points out that no such tank is illustrated. Instead, tap water merely flows thru filtration and deionization elements en route to an eductor (i.e., a venturi nozzle), where the water is injected with ozone en route to the wash chamber illustrated in Fig. 17B. In other words, there is no tank in the '801 patent. Moreover, in view of the currently amended claim 14, the '801 patent further does not teach or suggest continuously adding ozone to water stored in a tank by recirculation past a venturi. Nor does the Hitchems reference disclose the amended limitations of claim 14 as discussed above. Thus, claims 14, 15, 18 and 20 are believed to be unobvious in view of the cited art.

The Examiner also rejected claim 27 under 35 U.S.C. 103(a) as unpatentable over WO02/32467; hereinafter the '467 reference. The '467 reference describes disinfecting medical equipment using ozonated water. Claim 27 now recites, in relevant part, "flushing said apparatus components, including a chamber, a filter, a tray, and a fill line, with ozonated water stored in a tank after the completion of step a, wherein ozone is continuously added to the water in the tank by re-circulation past a venturi." Thus, the '467 reference does not describe or suggest all elements of claim 27, as amended.

In view of the foregoing, as well as the previously submitted objective evidence of unexpected results, long-felt need, failure of others, and skepticism of experts, the applicant respectfully submits that the claims of the present invention are both novel and unobvious in view of the cited art. Therefore, reconsideration of the rejections is respectfully requested.

No fee is believed to have been incurred for this amendment. Should there be any unforeseen costs, please charge our Deposit Account No. 17-0055.

Respectfully submitted,

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